

NOT FOR PUBLICATION (For upload to web site)

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES,

Plaintiff,

v.

GOVERNMENT OF THE VIRGIN ISLANDS,

Defendant.

Civil No. 1984-104

ORDER

The Government of the Virgin Islands ["Government"] has requested an extension of time of one week to have the rehabilitation of the dry well of the LBJ Pump Station completed.¹ From the Government's motion, it appears that the only remaining task of this project is the installation of the ventilation fans in the dry well. From the Government's submission, it appears that the subcontractor initially ordered the wrong parts for this project, ordering the ventilation materials for the wet well instead of the dry well. The parts take four to six weeks to arrive on island once ordered. By the time the subcontractor's mistake was realized, the delivery date

¹ The Government did not file its motion for an extension of time until June 27, 2000, three days before the deadline, even though PWD knew it would not be able to comply with the June 30th deadline by at least June 22, 2000. (See Weekly Report at 4 (June 22, 2000) ("Contractor has ordered ventilation equipment but has advised PWD that equipment will not arrive in time to comply with Court deadline.")) The Court again reminds the Government that motions for extensions of time must be submitted well in advance of the deadline.

for the correct parts made it impossible for the Government to meet the original June 30, 2000, deadline for rehabilitating the dry well at the LBJ Pump Station.

WHEREAS the Court finds that the circumstances offered by the Government, as documented by the contractor and subcontractor, in support of its motion for an extension of time were beyond its control and were unforeseen, it is hereby

ORDERED that the Government's motion for extension of time for completion of the rehabilitation of the dry well at the LBJ Pump Station is **GRANTED**. The Government shall complete these repairs no later than July 10, 2000.

ENTERED this 30th day of June, 2000.

FOR THE COURT:

_____/s/_____
Thomas K. Moore
District Judge

ATTEST:
ORINN ARNOLD
Clerk of the Court
By: _____
Deputy Clerk

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